

## **Glossary of Key Terms in Representation Cases**

**Accretion-** Appending a newly added group of employees to an existing bargaining unit, without need of a secret ballot election

**Amendment of Certification-** A “housekeeping” petition, filed to acknowledge and memorialize a change in the name of the employer or the union.

**Application for Review-** The name given to the process of appealing a decision issued by an FLRA Regional Director in a representation matter.

**Appropriate Unit-** A grouping of jobs which meets the FLRA’s criterion for appropriateness.

**Bar-( election, certification, contract)** Statutory or regulatory prohibitions of a secret ballot election for a prescribed period of time

**Bargaining Unit-** See appropriate unit above

**Blocking Charge-** An unfair labor practice charge filed during the time a representation proceeding is in progress. Certain types of ULP charges effectively “block” resolution of the unit question.

**Clarification of Unit-** A type of petition filed with the FLRA which seeks to clarify whether specific employees, or employee categories, are properly included or excluded from an existing bargaining unit.

**Community of Interest-** One of the key criterion for an “appropriate unit.” There are a multitude of indicators of community interest, such as shared working conditions, supervision, physical location,, etc.

**Consent Election-** A written agreement, entered into by the agency and the union, which specifies the details of an upcoming secret ballot election.

**Consolidation of Unit-** A type of petition which seeks to take two or more existing bargaining units and consolidate them into a single cohesive unit.

**Decertification Petition-** A type of petition, filed only by employee(s) which seeks to discontinue the union’s status as employee’s designated collective bargaining representative.

**Disclaimer of Interest-** An existing union, certified to represent an appropriate bargaining unit, affirmatively states that it no longer wishes to act as the exclusive representative of employees.

**Effective Dealings-** One of the criterion for an “appropriate” bargaining unit

**Efficiency of Operations-** One of the criterion for an “appropriate” bargaining unit.

**Equivalent Status-** Where two or more unions are competing for the right to represent a unit of employees, the agency is required to accord no more rights and privileges to, than to another.

**Intervener-** A special status awarded to a union which learns of a pending representation matter and seeks to participate.

**Objection to an Election-** A formal challenge filed after a secret ballot election, by either the union or the agency, asserting that some aspect of the campaign/election process was unfair.

**Professional Employee-** Designation for a handful of federal employees with positive educational and licensure requirements—architects, lawyers, doctors.

**Question Concerning Representation (QCR)-** A situation where a legitimate question exists as to whether a union should actually represent an appropriate unit. A QCR calls for the conduct of a secret ballot election. Housekeeping petitions (e.g. clarification of unit) do not raise a QCR.

**Residual Unit-** After the vast majority of employees in an agency or activity have been organized, remaining small pockets of unorganized employees, may constitute a “residual” unit

**Self-Determination Election-** Usually an election which offers professional employees the opportunity to form their own bargaining unit, or be included in a larger, more comprehensive unit of employees,

**Showing of Interest-** Usually signature cards, gathered by a union, and submitted to the FLRA as evidence that the union has sufficient employee support to justify a secret ballot election.

**Statutory Exclusions-** A list of employee categories which appears at 5 U.S.C. section 7112 and may not be included in appropriate bargaining units.

**Successorship-** A situation which arises in representation cases where the agency or activity changes its name or organizational makeup, but employees continue to perform virtually the same mission, under the same conditions as previously.